

Remarks

In the Office Action, the Examiner noted that claims 1, 2, 10, 20, 21, 29, 35 and 36 are pending in the application; and that claims 1, 2, 10, 20, 21, 29, 35 and 36 are rejected. By this amendment, claims 1, 2, 10, 20 and 29 have been amended. Thus, claims 1, 2, 10, 20, 21, 29, 35 and 36 are pending in the application. No new subject matter has been inserted through these amendments. Specifically, claims 1, 2 and 10 have been amended to replace the word “combination” with “composition.” In addition, claims 1, 10, 20 and 29 have been amended to delete the phrase “one ore more products which activate dopaminergic neurotransmission in the brain” and insert therefor the phrase “a dopaminergic agonist.” All of the amendments are fully supported by the specification as further discussed below. The Examiner’s rejections are respectfully traversed below.

Withdrawal of Rejection Under 35 U.S.C. § 103(a)

Applicants note with much appreciation withdrawal of rejection under 103(a) of the last Office Action in view of the persuasive arguments presented by Applicants in their response of October 10, 2006.

Double Patenting Rejection

Claims 1, 20 and 35-36 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 3-10 and 15-28 of U.S. Application No. 10/786,483, now U.S. Patent No. 7,105,504 B2.

Applicants submit herewith a terminal disclaimer obviating this rejection. In addition, a statement accompanying the terminal disclaimer is also enclosed herewith. The terminal disclaimer clearly states that the assignee of record, Aventis Pharma S.A., is the sole owner with 100 percent interest in the instant application as well as the above noted U. S. Patent No. 7,105,504 B2. Thus, withdrawal of rejection as to claims 1, 20 and 35-36 is respectfully requested.

Rejection Under 35 U.S.C. § 112, Second Paragraph

Claims 1-2, 10, 20-21, 29 and 35-36 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In particular, the Examiner has noted that the term “combination” is unclear as to whether the dopamine-activating product and compound of formula I is a homogeneous mixture or not. As a result, the Examiner has suggested replacing “combination” with “composition” in order to overcome this rejection. As noted above, the affected claims 1, 2 and 10 have been amended to recite “composition,” thus obviating this rejection. Thus, withdrawal of rejection as to claims 1-2, 10, 20-21, 29 and 35-36 is respectfully requested.

In addition, claims 1-2, 10, 20-21, 29 and 35-36 stand rejected under 35 U.S.C. 112, second paragraph, because the Examiner has noted that the term “one or more products which activate dopaminergic neurotransmission in the brain” is unclear and has suggested that the term “dopaminergic agonists” be used instead in order to overcome this rejection. In view of the foregoing, as noted above, the affected claims 1, 10, 20 and 29 have been amended accordingly, thus obviating this rejection. Therefore, withdrawal of rejection as to claims 1-2, 10, 20-21, 29 and 35-36 is respectfully requested.

Conclusions

In view of the above Remarks, it is respectfully submitted that claims 1-2, 10, 20-21, 29 and 35-36 are now in condition for allowance and the early issuance of this case is respectfully requested. In the event the Examiner wishes to contact the undersigned regarding any matter, please call (collect if necessary) the telephone number listed below.

Application Ser. No.: 10/786,810

Filing Date: February 25, 2004

Examiner: Chong, Yong Soo

Applicants believe there are no fees due for this Rule 111 Amendment. However, if the Examiner deems that fees are due, please charge these fees to Deposit Account No. **18-1982** for sanofi-aventis U.S. LLC, Bridgewater, NJ. Please credit any overpayment to Deposit Account No. **18-1982**.

Respectfully submitted,

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Balaram Gupta

Balaram Gupta, Ph. D., J. D.

Registration No. 40,009

Attorney for Applicants

Enclosure: Terminal Disclaimer with Accompanying Statement (3 pages)

sanofi-aventis U.S. LLC
US Patent Operations
Route #202-206 / P.O. Box 6800
MAIL CODE: BWD-303A
Bridgewater, NJ 08807-0800
Telephone: 908-231-3364
Telefax: 908-231-2626